

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

Parker Meyer,)
)
Plaintiff,) Civil Action No. 2:16-530-RMG
)
vs.)
)
Al Cannon, Sheriff of Charleston County,)
individually and in his official capacity,)
et al.,) **ORDER**
)
Defendants.)
)
)

This matter comes before the Court on a Report and Recommendation (“R & R”) of the Magistrate Judge (Dkt. No. 157), recommending that Defendants’ motion for partial summary judgment (Dkt. No. 106) be denied without prejudice as premature under Rule 56 of the Federal Rules of Civil Procedure. Plaintiff opposes the motion on the ground that a scheduling order was issued in this matter on March 23, 2018 with a discovery ending date of July 31, 2018, and at the time of the motion she had not yet had an opportunity to commence discovery. The Magistrate Judge reasonably and correctly responded to this motion by recommending to this Court that the motion for summary judgment be denied at this time to allow the parties an opportunity to complete discovery. Upon the completion of discovery, the parties are free to file dispositive motions.

No party has filed an objection to this Report and Recommendation. After carefully reviewing the briefing in this matter and the Magistrate Judge’s R & R, the Court adopts the R &

R as the order of the Court and denies Defendants' motion for summary judgment without prejudice.

AND IT IS SO ORDERED.



Richard Mark Gergel
United States District Judge

July 25, 2018
Charleston, South Carolina